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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/016,864	12/14/2001	Klaus Ludewigt	MOH-P990638	5943

7590                    01/14/2004

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EXAMINER
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RODRIGUEZ, ARMANDO

ART UNIT	PAPER NUMBER
2828	

DATE MAILED: 01/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/016,864	LUDEWIGT ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	Armando Rodriguez	2828

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 24 October 2003.
- 2a) This action is FINAL.                  2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1,3 and 5-13 is/are rejected.
- 7) Claim(s) 2 and 4 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.



PAUL J.  
PAUL IP  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. §§ 119 and 120

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) The translation of the foreign language provisional application has been received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

#### Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                    | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)           | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ . | 6) <input type="checkbox"/> Other: _____ .                                   |

## DETAILED ACTION

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-13 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1,3,5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamanaka Chiyo (JP 09312430) in view of Pepper (PN 5,926,494) and Graham (PN 3,727,219).

Regarding claims 1,3,7,

In figure 2 Chiyo illustrates a solid-state laser resonator having mirrors (3) and (4) establishing the resonant cavity, a plurality of gain medium (1) within the resonant cavity optically coupled one after another, an external exciting laser beam (5), which is shown parallel to the same optical path as the amplified resonating laser beam (6).

Chiyo does not illustrate an imaging element within the resonant cavity.

In figures 4 and 5 Pepper illustrates a laser system having a resonator, a plurality of gain medium (24,26) within the resonator in the shape of a disc, an annular imaging relay lens (42) within the resonator for spatial mapping of effective gain pattern onto the subsequent gain medium, as described in columns 9 and 10.

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention to modify the Chiyoe laser resonator with the imaging relay lens of Pepper because it would image the amplified signal beam onto a subsequent gain medium within the resonator.

Regarding the functional limitation of claim 1, where the imaging element provides focusing, relay lens are well known in the art to focus images as documented by Graham in 1973 and described in column 5 lines 10-15.

Regarding claim 5,

Chiyoe does illustrate in figure 2 the gain mediums (1) having flat surfaces and a reflective surface (2) on one of the flat surfaces for reflecting the incident beams.

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention because it discloses a resonant arrangement for reflecting the laser beams.

Regarding claim 6,

Chiyoe does illustrate in figure 2, a zigzag beam path (folded).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention because it discloses a resonant arrangement, which provides a folded beam path.

Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chiyoe (JP 09312430) in view of Pepper (PN 5,926,494) and Brauch et al (PN 5,553,088).

Chiyo and Pepper do not disclose the composition or dimensions of the gain medium with respect to the thickness and the absorption of the beam.

In table 1 of Brauch et al discloses the composition and thickness of the gain medium with respect to the absorption length of the beam.

The "person having ordinary skill" in this art has the capability of understanding the scientific and engineering principles applicable to the claimed invention. Therefore, having the disclosure of table1 would enable a person of ordinary skill in the art to optimize and obtain a working range of the gain mediums.

Claims 10-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chiyo (JP 09312430) in view of Pepper (PN 5,926,494) and Itai (PN 5,148,441).

Regarding claims 10,12,13.

Output couplers, which are partially transmissive mirrors, output the laser beam and reflect the pump beam are well known and commonly used in the laser art, as shown in Figure 1 of Itai.

Regarding claim 11.

The use of beam splitters for coupling the pump beam into a laser system is notoriously well known in the laser art.

#### ***Allowable Subject Matter***

Claims 2,4 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

None of the cited prior arts alone or in combination discloses the claimed lens as having central opening, which does not image or focus the amplified laser beam but focuses the pumping light beam.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Armando Rodriguez whose telephone number is (703) 308-6218. The examiner can normally be reached on 10-hour day / M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Ip can be reached on (703) 308-3098. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-7722.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-4881.

  
Armando Rodriguez  
Examiner  
Art Unit 2828

  
Paul Ip  
Supervisor  
Art Unit 2828

AR/PI